

Groundwater Management Principles and Framework

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This preliminary set of principles and implementation framework are presented by the Planning and Conservation League. They are informed by discussions with colleagues in the environmental, environmental justice and tribal communities.

Principles

- 1) New groundwater policies or laws should:
 - A) Prevent not only overdraft and waste, but also adverse impacts to instream beneficial uses, cultural uses and public trust resources.
 - B) Not weaken existing laws that protect instream beneficial uses, cultural uses and public trust resources.
 - C) Not allow groundwater management plans to rely on “paper water,” or water transfers that would compromise instream beneficial uses, cultural uses and public trust resources in other watersheds, or water made available by relaxing already inadequate standards to protect instream beneficial uses, cultural uses and public trust resources.
- 2) Statewide standards should require local entities to:
 - A) Develop and implement a groundwater management plan within a reasonable time that ensures groundwater will be a sustainable resource (quantity and quality) including protection of instream beneficial uses, cultural uses and public trust resources. Include an objective for groundwater levels expressed as a range.
 - B) Collect and submit standardized groundwater extraction data including quality, quantity, location, timing, and purpose of all groundwater withdrawals.

- C) Incorporate groundwater quantity, quality and recharge information into well permitting and other land use decision making.
- 3) A “backstop” should require state or court intervention if local groundwater management entities do not comply with statewide standards.
- 4) Local groundwater management entities must have the resources and authorities necessary to sustainably manage the groundwater resources.
- 5) Defining the Goal. Consider framing sustainability in the positive, such as:

Sustainable groundwater management means managing groundwater within a basin or sub-basin to ensure it is adequate for instream beneficial uses, cultural uses and public trust resources within that basin or subbasin for current and future generations.

- 6) Meaningful Participation and Engagement within Local / Regional Decision-making Body
- A) Local groundwater management entities that are provided with broad authority to manage groundwater must be given a clear mandate to address the full scope of sustainable groundwater management - including water quality challenges, and ecosystem impacts.
- B) The governing body of a local groundwater management entity must include voting seats for under-represented groups - including affected disadvantaged communities, tribes, and environmental interests. Representation based on land ownership or water rights is not appropriate.
- C) In addition to ensuring voting rights for impacted water users, the local groundwater management entity must provide opportunities for impacted communities – including under-represented and disadvantaged groups – to meaningfully participate in the decision-making process. This would entail:
- 1) Effective and pro-active outreach to full set of diverse stakeholders impacted.

- 2) A clear and open process for planning, policy development, and implementation of management activities.
 - 3) Development of, and open access to data and models that underlie decision-making to allow for independent review and solution development that can be brought forward to the group.
- 7) Protecting the Most Vulnerable. The State must enforce minimum protections for the most vulnerable, particularly those that lack the safe, clean and affordable drinking water sufficient for basic human needs. To accomplish this, the state should:
- A) Require local management agencies to achieve sustainable groundwater management and set regionally specific goals and objectives in their plans that identify and address the needs of vulnerable populations.
 - B) Allow the public or impacted individuals/groups to petition the State Board or a State Board-appointed administrative law judge or the Court to ensure that protective goals are set and the resource managed to ensure the goals are met;
 - C) Require annual public reporting on metrics annually and review progress towards achievement of milestones every five years, in order to provide an opportunity for regular, mid-course corrections to achieving long-term goals.
 - D) Provide assistance to support development and implementation of solutions, particularly for disadvantaged community impacts/projects.

8) Information Access and Transparency

Complete and transparent data collection, management and evaluation are needed to sustainably manage groundwater. The state's own data – such as well drilling logs – as well as local data – such as county water quality and well permit data or data and models held by groundwater management entities – must be made publicly available so that objective third parties can evaluate and analyze local groundwater conditions and contribute to analysis and forecasts and scenarios.

Implementation Framework

Focus on the top priority groundwater basins. These include those identified by DWR pursuant to Water Code sections 10933 and 12924 (see

http://www.water.ca.gov/groundwater/casgem/pdfs/prioritization_brochure.pdf)

In addition other basins and subbasins that have significant groundwater dependent uses should also be included, for instance those basins where ground water extraction has impacted instream flows.

Require groundwater management plans for each priority basin that accomplish at least the following:

- A) Development and adoption by the year 201X of a groundwater basin management plan including a water budget and identification of whether the basin is in long-term sustainable balance.
- B) If the groundwater basin is not in long-term balance, approval and adoption by the year 201X of enforceable measures to bring the groundwater basin into balance by the year 202X.
- C) If no local/regional effort meets the scheduled dates above for management of a basin, the State Water Resources Control Board shall manage the basin until locals demonstrate they can and will provide sustainable groundwater management.
- D) If a water bond passes in 2014 each of the priority basins should be eligible to receive up to \$???? to perform the work above. If they decline or do not perform, the funding for that basin shall be made available to the SWRCB to do the work for that basin.

Additional Assistance (Not necessarily included in the legislation)

When the “Show Me the Water” legislation (SB 221 and 610) was enacted DWR, on its own, convened a workgroup to develop a manual with detailed procedures for compliance. Participants in that effort included ACWA, the Building Industry Association, League of Cities, CSAC, California Farm Bureau, the Attorney General’s Office, EBMUD and others. Although (or perhaps because) it was not mandatory it achieved total consensus. (see

http://www.water.ca.gov/pubs/use/sb_610_sb_221_guidebook/guidebook.pdf)

DWR could convene a similar group with water districts, groundwater agencies, Tribes, cities, counties, environmental and environmental justice representatives, and other groundwater stakeholders to develop recommended approaches.

To discuss this further please contact:

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